

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
Kevin D. Fisher,

*Plaintiff,*

-v.-

Christopher Radko and Rauch Corp.

*Defendants.*  
\_\_\_\_\_X

7:07-CV-09239 (SCR)(GAY)

MOTION TO REOPEN  
CASE

NOW COMES PLAINTIFF Kevin D. Fisher, by his attorney Nancy Baum Delain, Esq. and prays this Honorable Court to re-open his case, which was erroneously closed on 6/4/2008. This case has been settled as to only one defendant, namely RAUCH; the matter is still active and should be pending against Defendant RADKO. Settlement negotiations are presently in progress with RADKO.

This case was closed in error based only on the settlement agreement that was reached with RAUCH. No adjudication has at this time been put in place as to Defendant RADKO.

WHEREFORE, Plaintiff prays that his case, which was closed in error by the Court, be reopened to allow proper adjudication of this matter for all parties.

Respectfully submitted,  
DELAINE LAW OFFICE, PLLC

*Nancy Baum Delain*  
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SO ORDERED  
*Stephen C. Robinson*  
STEPHEN C. ROBINSON  
UNITED STATES DISTRICT JUDGE  
7/22/08

